



IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 827 of 2025

Bunty Bhue

....

Petitioner

Mr. P.K. Routray, Advocate

-Versus-

State of Odisha

....

Opposite Party

Mr. P.K. Ray, AGA

CORAM:

MR. JUSTICE R.K. PATTANAIK

ORDER

24.03.2025

Order No.

01.

1. Heard learned counsels for the respective parties.
2. Instant petition is filed for release of the petitioner on bail in connection with C.T. Case No.02/01 of 2024 arising out of Bargarh P.S. case No.480 of 2023 pending in the file of learned Additional Sessions Judge, Bargarh on the grounds stated therein.
3. Perused the FIR and the rejection order as at Annexures-1 and 2 respectively.
4. A copy of the order in BLAPL No.1749 of 2024 is produced by learned counsel for the petitioner and submits that the petitioner is similarly situated like the co-accused, namely, Kartika Bag. It is submitted that in view of the release of the other accused, parity should be extended to the petitioner. On a reading of the Court's order dated 19th December, 2024 in BLAPL No.1749 of 2024, it is found that the co-accused has been granted bail taking into account the materials on record with a conclusion that the entire prosecution case is based on circumstantial evidence. Gone through the contents of the FIR and the same reveals that the report was lodged by the father of the deceased, whose body was recovered, with the allegation that he has been murdered. Considering the last seen



theory and the evidence to be circumstantial, the co-accused, named above has been released on bail in the year 2024. The objection of Mr. Ray, learned AGA for the State is noted down. In fact, in course of hearing, Mr. Ray, learned AGA for the State requests for an adjournment to collect the case diary and other police papers but on merits, opposed the release of the petitioner. Mr. Routray, learned counsel for the petitioner submits that the trial has not commenced, though, commitment of the case has taken place in the meantime. Recording such submissions as above and since, the other accused, namely, Kartika Bag is on bail, the Court is of the view that the petitioner, who is on equal footing and has been implicated on the basis of the same materials, should be allowed to go on bail with similar conditions. In other words, considering such release of the other accused in BLAPL No.1749 of 2024 and as the petitioner is found to be similarly situated, the Court is inclined to grant him bail with conditions.

5. Accordingly, it is ordered.

6. In the result, the petition stands allowed. As a necessary corollary, the petitioner is directed to be released on bail in connection with C.T. Case No.02/01 of 2024 arising out of Bargarh P.S. case No.480 of 2023 subject to him furnishing a bail bond of Rs.40,000/- (rupees forty thousand) with one solvent surety for the like amount to the satisfaction of the learned Additional Sessions Judge, Bargarh, who shall impose such other conditions as deemed just and proper in the facts and circumstances of the case besides the following, such as, he shall not tamper with evidence or threaten or gain over any of the prosecution witnesses; and shall not leave its jurisdiction without any specific permission of the learned court below till conclusion of the trial and shall appear on each and every date fixed for trial without fail, if not prevented by any sufficient cause. The Court directs that in case, any of the conditions imposed



is or are violated by the petitioner, it shall forthwith entail cancelation of bail granted to him.

7. The BLAPL is disposed of.
8. Urgent certified copy of this order be granted as per rules.

(R.K. Pattanaik)
Judge

Rojina

Signature Not Verified

Digitally Signed
Signed by: ROJINA SAHOO
Designation: Junior Stenographer
Reason: Authentication
Location: OHC, CTC
Date: 25-Mar-2025 11:02:43

